

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

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ELI LILLY AND COMPANY,	:
	:
	: Honorable Dennis M. Cavanaugh, U.S.D.J.
	:
Plaintiff,	: Civil Action No. 07 CV 3770 (DMC) (MF)
	:
v.	:
	:
ACTAVIS ELIZABETH LLC, GLENMARK	: ORDER GRANTING DEFENDANTS'
PHARMACEUTICALS INC., USA, SUN	: MOTION TO STRIKE EVIDENCE AND
PHARMACEUTICAL INDUSTRIES LTD.,	: ARGUMENT RELATED TO FDA
SANDOZ INC., MYLAN	: AUTHORIZATION OR REVIEW
PHARMACEUTICALS INC., APOTEX INC.,	: BOARD APPROVAL OF THE MGH
AUROBINDO PHARMA LTD., TEVA	: PILOT STUDY OFFERED TO SUPPORT
PHARMACEUTICALS USA, INC.,	: UTILITY
SYNTHON LABORATORIES, INC., ZYDUS	:
PHARMACEUTICALS, USA, INC.,	:
	:
Defendants.	:
	:
	X

THIS MATTER, being opened to the Court by Winston & Strawn LLP, attorneys for Defendant Sun Pharmaceutical Industries, Ltd., by way of Defendants Sun Pharmaceutical Industries, Ltd., Sandoz Inc., Mylan Pharmaceuticals Inc., Apotex Inc., and Aurobindo Pharma Ltd.’s (collectively, “Defendants”) Motion to Strike Evidence and Argument Related to FDA Authorization or Review Board Approval of the MGH Pilot Study Offered to Support Utility; and the Court having reviewed the papers submitted in support of, and in opposition to, said Motion; and for good cause shown,

IT IS on this _____ day of _____, 2010

ORDERED as follows:

1. Defendants' Motion to Strike Evidence Related to FDA Authorization or Review

Board Approval of the MGH Pilot Study Offered to Support Utility be and is hereby granted.

2. All trial testimony, deposition testimony, argument and trial exhibits as listed in Exhibit A to the supporting Declaration of James S. Richter be and hereby are stricken from the trial record.

3. A copy of this Order shall be served upon all counsel of record within seven (7) days of the date hereof.

Honorable Dennis M. Cavanaugh, U.S.D.J.